

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

**CIVIL MINUTES**

<b>Date:</b> 1/7/2025	<b>Time:</b> 9:22 - 11:03; 11:29 - 12:13 = 1 Hour; 55 Minutes	<b>Judge:</b> EDWARD M. CHEN
<b>Case No.:</b> <a href="#">21-cv-09700-EMC</a>	<b>Case Name:</b> Mewawalla v. Middleman	
<b>Deputy Clerk:</b> Angella Meuleman	<b>Court Reporter:</b> Ana Dub	

**Attorneys for Plaintiff:** Ekwan Rhow, Oliver Rocos

**Attorneys for Defendant:** Paul Gafney, Ricardo Leyva, Ikenna Ugboaja, Kevin Chu, George Borden, Robert Nolan, David Goldstein

**PROCEEDINGS**

Pretrial Conference - Held;

Motions in Limine [214][217][218][219][220][221][223][224][225][226][227][228][229]- Held.

**SUMMARY AND FURTHER ORDERS**

The Court ordered the Parties to attend the settlement conference with Judge Westmore on January 13, 2025, or at a further agreed upon date with Judge Westmore.

Matters taken under submission. Pretrial Conference Order to follow.

Trial will be limited to the five days. The Court will prescribe precise time limits to follow.

The Court also ordered the following:

- 1) Defendant has until **end of day (Tuesday, January 7, 2025)** to determine which witnesses will be called live vs. by deposition. By **Friday, January 10, 2025:** Parties are to then meet and confer, and file an updated JOINT witness list with more accurate time estimates.
- 2) By **Thursday, January 9, 2025:** Parties are to meet and confer and file a JOINT statement with case and secondary citations to better support their positions on the “verbal acts” doctrine.

3) By **Wednesday, January 15th, 2025:**

- a. Parties are to further meet and confer to resolve objections to deposition designations and file an updated JOINT statement regarding any remaining objections that the Court will resolve in advance of trial. Parties are forewarned that the time this Court takes to resolve unreasonable objections will come off the respective Parties' trial time.
- b. Parties are to further meet and confer to resolve objections to discovery responses and file an updated JOINT statement regarding any remaining objections that the Court will resolve in advance of trial. Parties are forewarned that the time this Court takes to resolve unreasonable objections will come off the respective Parties' trial time.
- c. Parties are to update/revise/redact expert reports given the Court's prior orders and comments at the PreTrial Conference. Parties should email these updated reports (and all other expert reports to be used at trial) to [emcpo@cand.uscourts.gov](mailto:emcpo@cand.uscourts.gov) AND [EMCCRD@cand.uscourts.gov](mailto:EMCCRD@cand.uscourts.gov).
- d. Jury Instructions: Parties are to meet and confer and file a JOINT statement regarding stipulated, updated jury instructions, including a single updated, stipulated "Unclean Hands" jury instruction No. 30/39 as instructed by the Court, and an updated stipulated Breach of Contract instruction No. 33 and No. 34 with a cite to the section of the Employment Agreement with the definition of "Cause."
- e. Parties are to refile a JOINT updated, stipulated verdict form.

Court granted Defendants permission to take the deposition of Daniel Oh.

**Further Status Conference re: potential jury excusals set for 1/24/2025 at 1:30PM, to be set alongside additional final pretrial conference by videoconference. Both hearings will be conducted at 1:30PM.**